EBBISHAM SPORTS CLUB

RULES

1. **Name and Objects**

   (a) The name of the club shall be Ebbisham Sports Club (hereinafter referred to as ESC).

   (b) The objects of ESC are to provide facilities for and to promote the participation of the whole community in Badminton, Squash and Tennis and such other eligible sports under the Community Amateur Sports Club Scheme as shall be approved by the Management Committee from time to time.

   (c) ESC shall be non-profit making and its income and assets shall be applied solely to the achievement of its objects as stated in (b) above and no part thereof shall be paid or transferred either directly or indirectly to the members of ESC.

   (d) If at any time the Management Committee shall decide and the members of ESC shall agree by Special Resolution at an EGM that ESC is unable to continue to achieve its objects as stated in (b) above and shall be dissolved any assets remaining after the satisfaction of all debts and liabilities shall be given or transferred to another sports club which is a registered Community Amateur Sports Club or to the national governing bodies for Badminton, Squash and Tennis and such other eligible sports under the Community Amateur Sports Club Scheme as have been approved by the Management Committee.

2. **Ebbisham Sports Club Premises**

   (a) By a Conveyance dated 25 January 1968 the ESC property (therein referred to as the **Trust Property**) was vested in Trustees to hold on the trusts and subject to the powers and provisions set out in the First Schedule to the Conveyance (therein referred to as the **Constitution**).

   (b) The general management and control of the Trust Property (herein referred to as the **ESC Property**) and the arrangements for it use are by the Constitution vested in a Committee of Management (herein referred to as the **Management Committee**) of which the Trustees for the time being shall be permanent members.

3. **Definitions**

   (a) (i) a **member of ESC** shall mean a person who has been elected in accordance with paragraph 4.

   (ii) the **playing sections** shall mean the Ebbisham Badminton Club, the Ebbisham Tennis Club (in the Consitution called the Ebbisham Hard Court Tennis Club), the Ebbisham Squash Club and such other sections, if any, as may from time to time be approved by the Management Committee.

   (iii) the **social section** shall mean the Ebbisham Sports (Social) Club.

   (b) a **full member** shall mean a member of ESC who is over the age of eighteen.

   (c) a **visitor** shall mean a person who is not a member of ESC but is using the facilities of any of the playing sections, is an official or spectator or otherwise concerned with sports activities.

   (d) a **guest** shall mean a person who is visiting the ESC Property with a member of ESC for social purposes not involving the use of the facilities of the playing sections.

4. **Membership of ESC**

(a) A person wishing to join ESC shall:

(i) apply to the Secretary or Manager of ESC for membership subject to a probationary period of three months (the **probationary period**).

(ii) have his name and address prominently displayed in a part of the ESC Property used regularly by members for not less than seven days following his application.

(iii) have his application considered by the Committee of the appropriate playing section.

(iv) if considered acceptable be met by a member of the Management Committee or the Committee of the appropriate playing section.

(v) be notified in writing whether or not his application has been successful subject to the probationary period.

(vi) on the expiration of the probationary period:

(i) automatically become a full member; or

(ii) if membership is terminated receive a full refund of his subscription.

(b) A playing section Committee may only refuse or terminate membership for good and sufficient reason such as conduct or character likely to bring ESC or its sports into disrepute or as provided in 4(c) below. Any person who is refused membership or whose membership is terminated may appeal in writing to the Management Committee and such appeal shall be determined by a simple majority of the Management Committee.

(c) No person shall be a member of ESC until his subscription has been paid in full. Any member failing to pay his subscription by the due date may forfeit his membership but shall remain liable for all monies then due.

(d) Membership of ESC shall be open to all persons regardless of age, gender, nationality, ethnicity, sexual orientation, religion or other beliefs or disability except as a necessary consequence of the requirements of Badminton, Squash and Tennis and such other eligible sports under the Community Amateur Sports Club Scheme as have been approved by the Management Committee.

5. **Finances**

The Management Committee shall have the responsibility for ESC's finances as vested in it by clauses 9(a), 10, 11 and 12 of the Constitution. Such responsibility shall include but not be restricted to the determination of subscriptions payable by members, court fees payable by members and non-members, other income to be derived from the playing sections and the social section and the control of expenditure by the playing sections and the social section.

6. **Management Committee Membership**

(a) The Management Committee shall (in addition to the Trustees) consist of:

(i) seven full members of at least two years standing elected at an Annual General Meeting (**AGM**).

(ii) two full members representing each of the playing sections and the social section appointed by their respective Committees.

(iii) up to a maximum of five co-opted members.

6. **Management Committee Membership (continued)**

(b) All members (other than Trustees) shall only serve until the next AGM but may offer themselves for re-appointment or re-election.

(c) (i) Nominations for election to the Management Committee shall be submitted in writing to the Secretary or Manager of ESC at least three days before the AGM together with the written consent of each candidate.

(ii) If the number of nominations exceeds seven the Committee members shall be elected at the AGM with each full member of ESC present voting in a secret ballot.

(iii) Every voting member present is entitled to vote for as many candidates as there are vacancies to be filled.

(iv) The candidates who receive most votes must be declared elected up to the number of vacancies and in the case of two or more candidates receiving an equal number of votes there will be a further ballot.

(v) If the number of candidates is seven or less a vote by a show of hands at the AGM must be carried by a simple majority of those full members present.

(d) At the first Management Committee Meeting held after the AGM a Chairman, a Vice Chairman and a Treasurer shall be elected from amongst the members of the Management Committee by secret ballot.

7. **Management**

(a) The Management Committee shall meet at least every two months.

(b) A quorum shall consist of six members of the Management Committee.

(c) Members of ESC or non-members may be invited to Management Committee meetings as appropriate if approved by a simple majority of the Management Committee but should only attend for the relevant part of the meeting. Such persons shall not be entitled to vote.

(d) In the event of an emergency a decision may need to be taken immediately. In such an event the decision shall be taken by at least three persons from amongst the Trustees, the Chairman, Vice Chairman and Treasurer. Such decision shall be reported to the next Management Committee Meeting, ratified and duly minuted.

8. **General Meetings**

(a) An AGM shall be held each year as soon as possible after the end of the ESC financial year, the date of which shall be determined by the Management Committee. The interval between meetings shall not be more than fifteen months.

(b) Twenty one days notice of an AGM shall be given to all full members in writing and shall be posted or delivered in such manner as the Management Committee shall decide.

(c) An Extraordinary General Meeting (**EGM**) shall be held if:

(i) required by the Management Committee; or

(ii) requested in writing by at least thirty full members stating the purpose for which the meeting is required. The meeting shall take place within thirty days of the receipt by the Chairman of such a request.

(d) Twenty one days notice of an EGM shall be given to all full members in writing and shall be posted or delivered in such manner as the Management Committee shall decide. The nature of the EGM shall be published and the meeting restricted to that subject.

8. **General Meetings (continued)**

(e) An AGM or EGM shall be chaired by the Chairman of the Management Committee or his nominee in his absence. If neither were present the meeting should elect a Chairman by a majority on a show of hands.

(f) All full members present may vote at an AGM or an EGM. Thirty full members must be present to form a quorum.

9. **Discipline**

Matters of discipline may be resolved by the Committees of individual playing sections in respect of their own members. Any such matters which cannot be resolved in this manner shall be dealt with by the Management Committee in the following manner:

(a) The member shall be given at least seven days notice in writing by recorded delivery of the Management Committee's intention to discuss the matter at a Committee meeting.

(b) The member shall have the right to appear at the meeting if he wishes and shall be invited to do so.

(c) The matter shall be settled by the votes of the majority of the Committee present at such meeting.

(d) The member shall be notified in writing by recorded delivery within seven days of the Committee's decision.

10. **Guests**

(a) Members may introduce not more than three guests on any one occasion provided that no person may be introduced as a guest more than three times in any three month period. The guest and the member introducing him shall each sign his name in a book to be kept for that purpose. The following shall not be introduced as guests:

(i) Former members who have been formally declared to have forfeited membership by reason of non-payment of subscription.

(ii) Former members whose membership has been terminated or suspended pursuant to paragraph 9.

(b) A member must accompany and be ultimately responsible for any guest introduced by him and while on the ESC Property ensure that ESC rules are observed.

(c) Any expenses incurred by a guest on the ESC Property shall be met by the member who introduced him.

11. **Visitors**

Visitors are required to observe the ESC rules while on the ESC Property.

12. **List of Members and Addresses**

The Management Committee shall keep at the ESC Property a list of the names and addresses of the members as required by the Licensing Act 1964. Every member shall within seven days after any change of address give notice of the change to the ESC Secretary or Manager.

13. **Users of the Club**

(a) No member visitor or guest under the age of eighteen may:

(i) be in the club bar area without the permission of the bar steward.

(ii) be supplied with or consume intoxicating liquor on ESC Property.

(iii) be on ESC Property after 9.00pm unless aged fourteen years or over, using the facilities of one of the playing sections or authorised under (b) below.

(b) On a Saturday night children under the age of fourteen may be permitted to enter or stay in the club after 9.00pm under the following conditions:

(i) The children are members of ESC.

(ii) They are accompanied by at least one of their parents who is also a member of ESC.

(iii) They are well behaved (the arbiter of this is the ESC manager on duty that evening).

13(b) will not apply if there is a function or a major sporting event on television (the arbiter is again the ESC manager on duty that evening).

(c) No drunkenness, offensive language, unauthorised gambling, unauthorised commercial activities or other anti-social behaviour shall be permitted on the ESC Property. Any member offending under this rule may be dealt with under paragraph 9.

(d) Any member of the Management Committee or any officer or employee authorised for the purpose by the Management Committee shall have the power to order the immediate withdrawal from the ESC Property of any member who has in the opinion of that person offended under rule 13(c).

(e) Liquor may only be brought on to the ESC Property by prior arrangement with the bar steward and on such terms as may be agreed.

(f) Except for the provision of gaming machines or other games or lotteries permitted by law and approved by the Management Committee the ESC Property shall not be used for gambling or the playing of any games of chance.

(g) No animals shall be allowed on the ESC Property except by prior permission of the Management Committee.

14. **Club Hours**

The Club premises shall be opened and closed at such hours as the Management Committee may from time to time determine.

15. **Staff**

The Management Committee shall be responsible for the appointment and termination of employment of all staff, their duties, discipline and salaries.

16. **Supply of Intoxicants**

(a) The supply of intoxicating liquor is prohibited to any persons under the age of eighteen years.

16. **Supply of Intoxicants (continued)**

(b) The hours during which intoxicating liquor may be supplied to members shall be:

(i) Monday to Saturday from 11.00am to 11.00pm

(ii) Sunday from 12.00 midday to 10.30pm

(iii) Christmas Day from 12.00 midday to 3.00pm and from 7.00pm to 10.30pm

The Club may open at the discretion of the Management Committee on Good Friday and Christmas Day within the hours permitted. The Licensing hours may be varied from time to time by the Management Committee in accordance with the statutory provisions for the time being in force.

17. **Licensing Act**

The ESC Registration Certificate under the Licensing requirements for the time being in force shall be applied for by the Chairman or the Secretary of ESC.

18. **Interpretation**

(a) Words importing one gender shall be construed as importing the other gender and words importing the singular shall be construed as importing the plural and vice versa.

(b) The Management Committee shall be the sole authority for the interpretation of these Rules and its decision shall be final and binding on all ESC members.

19. **Change of Rules**

These rules may only be changed by a Special Resolution requiring twenty one days notice and passed by a three fourths majority of the full members present at a General Meeting.

5th December 2006

EBBISHAM SPORTS CLUB

SPECIAL RESOLUTION A

Purpose

The purpose of this special resolution is to amend the Ebbisham Sports Club rules in order to clarify the management committee's responsibility for the club's finances as vested in it by clauses 9(a), 10, 11 and 12 of the club's constitution.

Resolution

It is hereby resolved that rule 5 shall be deleted from the Ebbisham Sports Club rules and that the following rules 4(c) and 5 shall be included in the club's rules:

4 (c) No person shall be a member of ESC until his subscription has been paid in full. Any member failing to pay his subscription by the due date may forfeit his membership but shall remain liable for all monies then due.

5 **Finances**

The Management Committee shall have the responsibility for ESC's finances as vested in it by clauses 9(a), 10, 11 and 12 of the Constitution. Such responsibility shall include but not be restricted to the determination of subscriptions payable by members, court fees payable by members and non-members, other income to be derived from the playing sections and the social section and the control of expenditure by the playing sections and the social section.

EBBISHAM SPORTS CLUB

SPECIAL RESOLUTION B

Purpose

The purpose of this special resolution is to amend the Ebbisham Sports Club rules in order to enable the club to register as a Community Amateur Sports Club under Schedule 18 of the Finance Act 2002.

Resolution

It is hereby resolved that rules 1, 4(a)(iii) and 4(b) shall be deleted from the Ebbisham Sports Club rules and that the following rules 1(a), (b), (c) and (d), 4(a)(iii), 4(b) and 4(d) shall be included in the club's rules:

1 **Name and Objects**

(a) The name of the club shall be Ebbisham Sports Club (hereinafter referred to as ESC).

(b) The objects of ESC are to provide facilities for and to promote the participation of the whole community in Badminton, Squash and Tennis and such other eligible sports under the Community Amateur Sports Club Scheme as shall be approved by the Management Committee from time to time.

(c) ESC shall be non-profit making and its income and assets shall be applied solely to the achievement of its objects as stated in (b) above and no part thereof shall be paid or transferred either directly or indirectly to the members of ESC.

(d) If at any time the Management Committee shall decide and the members of ESC shall agree by Special Resolution at an EGM that ESC is unable to continue to achieve its objects as stated in (b) above and shall be dissolved any assets remaining after the satisfaction of all debts and liabilities shall be given or transferred to another sports club which is a registered Community Amateur Sports Club or to the national governing bodies for Badminton, Squash and Tennis and such other eligible sports under the Community Amateur Sports Club Scheme as have been approved by the Management Committee.

4 (a) (iii) have his application considered by the Committee of the appropriate playing section.

4 (b) A playing section Committee may only refuse or terminate membership for good and sufficient reason such as conduct or character likely to bring ESC or its sports into disrepute or as provided in 4(c) below. Any person who is refused membership or whose membership is terminated may appeal in writing to the Management Committee and such appeal shall be determined by a simple majority of the Management Committee.

4 (d) Membership of ESC shall be open to all persons regardless of age, gender, nationality, ethnicity, sexual orientation, religion or other beliefs or disability except as a necessary consequence of the requirements of Badminton, Squash and Tennis and such other eligible sports under the Community Amateur Sports Club Scheme as have been approved by the Management Committee.

5/12/06

Information about the Community Amateur Sports Club Scheme can be obtained at www.hmrc.gov.uk/casc

EBBISHAM SPORTS CLUB

SPECIAL RESOLUTION C

Purpose

The purpose of this special resolution is to amend the Ebbisham Sports Club rules in order to clarify the management committee's responsibility.

Resolution

It is hereby resolved that that the following 1 to 4 shall be included in the club's rules:

1 **Declaration of Conflict of interest**

Managing committee member(s) must:

(1) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the club or in any transaction or arrangement entered into by the club which has not previously been declared; and

(2) absent himself or herself from any discussions of the club in which it is possible that a conflict of interest will arise between his or her duty to act solely in the interests of the club and any personal interest (including but not limited to any financial interest).

2 **Record keeping**

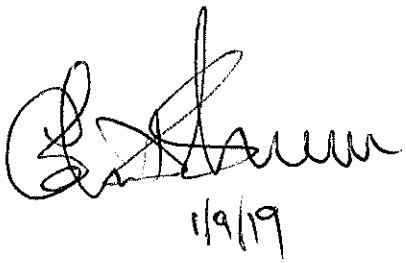
Minutes of the managing committee meeting should maintain a record of the conflicts and the action taken to mitigate the same.

3 **Skills of trustees**

The club would endeavour to ensure that the managing committee members have diverse representation to skills to meet the needs of the organisation. The club would make regular assessment of the of the skills of the managing committee members and address any shortfalls through induction of additional members as necessary.

4 **Bank Account(s)**

The Club will have one or more bank accounts in its name. The bank account would be operated by dual signatories as agreed by the managing committee from time to time.



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EBBISHAM SPORTS CLUB

SPECIAL RESOLUTION D

Purpose

Points 3 and 10 of this special resolution is to amend Ebbisham Sports Club Rules (ESC) in order to ensure the terms guests and visitors are consistent with their application by the playing sections. Thus, guests are sports users or otherwise concerned with sports activities and visitors are persons not involved with the playing facilities. Point 10 as amended removes the restriction on number of times a person may visit the club and the associated record keeping by the club.

Point 4 is intended to clarify understanding around the expectations of the Club's membership.

Point 7 is a practical matter reflecting smaller Committee numbers than in the past and is intended to facilitate smooth working of the Committee.

Resolution

It is hereby resolved that the following shall be included in the Club's rules:

Point 3 – Definitions

Amend point 3 (c) Visitor to Guest and 3 (d) Guest to Visitor

Point 4 - Membership of ESC

4 (e) Memberships run from the 1st until the last day of the month and any terminations will be effective from the last day of the following calendar month.

Cancellations, freezes and amendments to membership must be given with one clear calendar month's notice in writing (emails accepted to admin@ebbishamsportsclub.com)

4 (f) Freezing of membership is only permitted if there is a medical condition that prevents a member from playing and making use of his/her membership and acceptance of such would be on receipt of a doctor's letter.

Any freezes must be for a minimum of one full month (1st to 31st). We do not offer mid-month freezes

4 (g) A member cancelling their annual or monthly direct debit does not mean notice has been served on the Club to terminate their membership. Notice must be given in writing in line with 4 (e) above .

4 (h) The Club reserves the right to impose an administration fee of £25 per member in the event of repeated change of membership type or application for re-entry within 6 months unless there are mitigating circumstances.

Point 7 – Management

7 (b) Reduce the quorum from 6 to 5.

Point 10 – Title to be changed from Guests to Visitors

Clause 10(a) to be simplified and changed to:

10 (a) Members may introduce not more than three visitors on any one occasion unless with the consent of the Management Committee member present or duty member of staff. The following shall not be introduced as visitors (remains the same).

Point 11 – Guests and Visitors

Be changed to: Guests and Visitors are required to observe the ESC rules while on the ESC Property.

Esbisham
SPORTS CLUB